

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELANIE MacNIVEN, 2:04-cv-2401-GEB-CMK
Plaintiff,

vs. ORDER

JO ANNE B. BARNHART,
Commissioner of Social Security,
Defendant.

Plaintiff, who is proceeding with retained counsel, brings this action for judicial review of a final decision of the Commissioner of Social Security pursuant to 42 U.S.C. § 405(g). The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On November 3, 2005, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed

1 within ten days. Plaintiff has not objected to the findings and
2 recommendations.¹

3 The court has reviewed the file and finds the findings
4 and recommendations to be supported by the record and by the
5 magistrate judge's analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations filed November 3,
8 2005, are adopted in full;
- 9 2. This case is remanded pursuant to sentence four of
10 42 U.S.C. § 405(g);
- 11 3. Such remand shall proceed consistent with the
12 parties' stipulation;
- 13 4. All pending motions are denied as moot; and
- 14 5. The Clerk of the Court is directed to enter
15 judgment and close this file.

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17 DATED: December 6, 2005

18 /s/ Garland E. Burrell, Jr.
19 GARLAND E. BURRELL, JR.
20 United States District Judge

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26 ¹ Plaintiff filed objections on November 14, 2005, but withdrew them on November 18, 2005.